

ORDINANCE NO. 551 N.S.
 AN ORDINANCE OF THE CITY OF EL PASO DE ROBLES
 AMENDING THE ZONING CODE TO REVISE THE REQUIREMENTS FOR
 ARCHITECTURAL REVIEW, SIGNS AND CANOPIES AND AWNINGS

The City Council of the City of El Paso De Robles, California, does hereby ordain as follows:

SECTION I: Section 21.15.240 (Bed and Breakfast Regulations) of the Zoning Regulations is amended as follows:

a. Subsection 5 is amended to read as follows: "In the R-1, R-2 and R-3 Districts, wall-mounted signs shall not exceed two (2) square feet; freestanding signs may not exceed eight (8) square feet in area and four (4) feet in height."

SECTION II: Section 21.16.010 (District Use Table for the R-A Zone) of the Zoning Regulations is amended as follows:

a. Under the column entitled: "None but the following uses or uses which, in the opinion of the Planning Commission, are similar will be allowed", item number 5, delete the wording: "and associated on-premises commercial signs".

SECTION III: Section 21.16.050 (District Use Table for the R-3 Zone) of the Zoning Regulations is amended as follows:

a. Delete item #5 which reads: "Identification signs when non-illuminated and non-flashing and not exceeding 8 sq ft in area".

SECTION IV: Section 21.16.060 (District Use Table for the R-3-0 Zone) of the Zoning Regulations is amended as follows:

a. Delete item #8 which reads: "Non-flashing signs over four sq ft when attached to the main building and appurtenant to any use allowed".

SECTION V: Section 21.16.070 (District Use Table for the R-4 Zone) of the Zoning Regulations is amended as follows:

a. Delete item #6 which reads: "Non-flashing signs over four sq ft when attached to the main building and appurtenant to any use allowed".

SECTION VI: Section 21.16.080 (District Use Table for the C-1 Zone) of the Zoning Regulations is amended as follows:

a. Delete item #6 which reads: "Signs, freestanding, non-flashing and non-rotating, and appurtenant to any permitted use".

SECTION VII: Section 21.16.090 (District Use Table for the C-2 Zone) of the Zoning Regulations is amended as follows:

a. Delete item #3 which reads: "Signs attached to the main building and appurtenant to any permitted use, non-flashing and non-rotating subject to architectural review";

b. Delete item #4 which reads: "Signs not attached to the main building and not appurtenant to any permitted use, non-flashing and non-rotating, including outdoor advertising structures".

SECTION VIII: Section 21.16.100 (District Use Table for the C-3 Zone) of the Zoning Regulations is amended as follows:

a. Delete item #4 which reads: "Nonflashing and nonrotating signs attached to the main building and appurtenant to any permitted use shall be allowed in a C-3 district subject to architectural review.";

b. Delete item #5 which reads: "Signs other than those appurtenant to any permitted use, including outdoor advertising structures and freestanding appurtenant signs shall be allowed in a C-3 district subject to first securing a use permit."

SECTION IX: Section 21.16.110 (District Use Table for the M Zone) of the Zoning Regulations is amended as follows:

a. Delete item #3 which reads: "Signs attached to the main building and appurtenant to any permitted use subject to architectural review.";

b. Delete item #4 which reads: "Signs, other than those appurtenant to any permitted use, including outdoor advertising structures and freestanding appurtenant signs."

SECTION X: Section 21.16.120 (District Use Table for the PM Zone) of the Zoning Regulations is amended as follows:

a. Under the column entitled: "None but the following uses or uses which, in the opinion of the Planning Commission, are similar will be allowed", item number 2 is changed to delete the wording "signs appurtenant to any use located on property of use;"

SECTION XI: Section 21.20.110 is amended to read as follows:

"21.20.110 Sign Regulations. Signs shall comply with the following regulations:

A. DEFINITIONS:

1. Directional Sign: A sign which is used to direct vehicular or pedestrian traffic to a use on the same property as the directional sign.

2. Freestanding Sign: A sign which has its own support structure placed on the ground and which is not attached to a building.

3. Off-Premise Sign: A sign which does not identify the land use of the property on which it is located but directs the public to a privately-owned land use located on another parcel of land. Billboards and outdoor advertising structures are classified as off-premise signs.

4. Subdivision Advertising Sign: A temporary sign which includes both on and off-premise signs whose purpose it is to direct the public to a subdivision in which new homes or lots are being sold.

5. Wall-Mounted Sign: A sign which is either mounted flat against the wall of a building or structure or projects out from a wall or structure or down from a ceiling in an arcade.

B. REGULATIONS:

1. Architectural Review approval is required for all signs, including changes of sign copy on existing signs, are subject to

Architectural Review approval as prescribed by sections 21.20.270-274 except for the following:

a. In the R-A, R-1, R-2, R-3, and R-3-0 districts, non-illuminated signs, four (4) square feet or less in area, which advertise, for sale, lease or rental, the property on which they are located;

b. In the R-4, C-1, C-2, C-3, M, PM and AP districts, signs, six (6) square feet or less in area, which advertise, for sale, lease or rental, the property on which they are located;

c. Signs, ten (10) square feet or less in area, which identify the contractor, subcontractors, or architect during the period of actual construction on the property on which they are located;

d. Directional signs four (4) square feet or less in area.

2. Design: No sign shall flash, rotate or give the appearance of having any moving parts. Electronic message boards are prohibited. (Exception: Signs which display time and temperature only are permitted, subject to architectural review.)

3. Location: No pole or base of a support structure for a sign shall be placed within the public right-of-way.

4. Commercial and Industrial Zones: In the C-1, C-2, C-3, M, PM and AP districts, all freestanding signs higher than ten (10) feet, as measured from the lowest ground level adjacent to the base of the sign, and/or larger than fifty (50) square feet in area are subject to approval of a conditional use permit in the manner prescribed by Chapter 21.23A.

Where regulations in effect prior to this ordinance required those freestanding signs 10 feet or less in height and 50 square feet or less in area to obtain approval of a conditional use permit, the conditions of such conditional use permits shall remain in effect. However, such signs may be modified within these dimensional limits via Architectural Review and without amendment to such conditional use permits.

5. Residential Zones: In the R-A, R-1, R-2, R-3, R-3-0 and R-4 districts, freestanding signs may only be placed as follows:

a. Permanent freestanding signs to identify a subdivision or apartment project shall not exceed six (6) feet in height, as measured from the lowest ground level adjacent to the base of the sign, and/or fifty (50) square feet in area;

b. Permanent freestanding signs to identify a use for which a conditional use permit has been approved shall not exceed six (6) feet in height, as measured from the lowest ground level adjacent to the base of the sign, and/or fifty (50) square feet in area.

c. Temporary subdivision advertising signs to be located on the subdivision property shall not exceed ten (10) feet in height, as measured from the lowest ground level adjacent to the base of the sign, and/or one hundred (100) square feet in area.

Where regulations in effect prior to this ordinance required those freestanding signs 6 feet or less in height and 50 square feet or less in area to obtain approval of a conditional use permit, the conditions of such conditional use permits shall remain in effect. However, such signs may be modified within these dimensional limits via Architectural Review and without amendment to such conditional use permits.

6. Off-premise Signs: In the C-1, C-2, C-3 and M districts, all off-premise signs, except subdivision advertising signs, are subject to approval of a conditional use permit in the manner prescribed by Chapter 21.23A. Except for subdivision advertising signs, off-premise signs are not permitted in the R-A, R-1, R-2, R-3, R-3-0, R-4, PM and AP districts.

7. Maximum Sign Heights for those freestanding signs which are subject to approval of a conditional use permit shall be as follows:

a. 35 feet or the height of the principle roof line, whichever is lower, in the C-1, C-2 and AP districts;

b. 50 feet in the C-3, M and PM districts.

8. Subdivision Advertising Signs are subject to the issuance of a permit by the City Planner subject to the following conditions:

a. Subdivision advertising signs shall not exceed ten (10) feet in height, as measured from the lowest ground level adjacent to the base of the sign, and/or one hundred (100) square feet in area;

b. Architectural Review approval of the number, location, size, height and design of such signs;

c. Written consent of the owner of the property on which the subdivision advertising sign is to be placed;

d. Posting of a bond or other security of no less than \$100,00 per sign, to be approved by the City Planner to ensure the removal of such signs;

e. Subdivision advertising signs shall be removed within six months of the date of Architectural Review approval. The Architectural Review Committee may grant successive six month renewals of permits to place subdivision advertising signs if requests for such renewals are made in writing and submitted to the City Planner prior to the expiration date of a permit."

SECTION XII: Section 21.20.120 is amended to read as follows:

"21.20.120 Awning or Canopy Over Public Sidewalk. It is unlawful to erect or cause to be erected or to maintain or permit to be maintained any poster, sign, awning, canopy, or other structure, or any advertising material, over or upon any public street, walk, or parkway in the city except in a C or M district, and then only upon the securing of a use permit subject to Architectural Review as provided in this title."

SECTION XIII: Section 21.20.270 is amended to read as follows:

"21.20.270 Architectural Review - Purpose and Intent. Architectural Review is established to implement the policies of the Land Use Element of the General Plan where necessary to ensure that new development and changes in existing development meet the following objectives:

a. To protect the public health, safety and general welfare where it related to the design of development;

b. To contribute to the aesthetic quality of the City as a whole, especially where development will be visible from entrances to the City, major streets and several other vantage points;

c. To ensure that development is compatible with, and is not detrimental to, surrounding land uses and improvements by requiring design which provides appropriate visual appearance and which contributes to the mitigation of any environmental and social (e.g. privacy) impacts;

d. To ensure that development is compatible with existing scenic resources such as hillsides, stream courses, oak trees, vistas, historic buildings and structures;

e. To ensure that the development of individual properties contributes to the orderly development of the City as a whole."

SECTION XIV: Section 21.20.271 is hereby established as follows:

"21.20.271 Architectural Review - Where Required.

Architectural Review shall be required in the following instances:

a. Prior to issuance of building or grading permits for the following types of projects:

(1) Construction of more than one dwelling unit on a lot;

(2) Construction of a dwelling unit on a hillside lot (as defined by Chapter 21.14A);

(3) Construction, addition or exterior alteration of commercial, industrial or institutional buildings and structures;

b. Prior to installation of all signs (except those exempted by section 21.20.110, subsections (B)(1)(a-d);

c. For screening methods for outdoor storage where required by conditional use permit;

d. For subdivision walls and adjacent parkway landscaping where required by tentative tract approval;

e. For any improvements required as a condition of approval of a Tentative Tract, Parcel Map, Planned Development, Conditional Use Permit, Variance, Negative Declaration or Environmental Impact Report."

SECTION XV: Section 21.20.272 is hereby established as follows:

"21.20.272 Architectural Review - Scope of Review.

Notwithstanding development standards required elsewhere in this Title or in other Titles within the Municipal Code or within State law, Architectural Review includes the authority to make determinations and require improvements as follows:

a. Determine the precise location and orientation of buildings and structures;

b. Determine the design for on-site parking, loading and circulation (except where the City Engineer may determine the precise location of drive approaches and radii and grades of on-site drives);

c. Determine the precise number, location, species and size of trees and landscaping materials except as follows:

(1) The decision to remove oak trees shall be made in compliance with the Oak Tree Preservation Ordinance in Title 10 of this Code;

(2) Slope landscaping may be conceptually approved via Architectural Review; final approval shall be given by the City Engineer;

d. Determine the location of trash enclosures, freestanding signs, walls or fences, outdoor storage areas, and other facilities which are either required or proposed;

e. Determine the concept of grading for a property;

f. Determine the precise architectural treatment of the elevations and roofs of buildings, structures and walls or fences to include compatibility of architectural style, relief features, materials and colors.

g. Determine the location, size, height, shape, materials, colors method of illumination for signs;

h. Require the installation of trash receptacle enclosures;

i. Require the screening of heating, ventilating and air conditioning equipment;

j. Make other determinations and requirements as necessary to achieve the purposes of Architectural Review."

SECTION XVI: Section 21.20.273 is hereby established as follows:

"21.20.273 Architectural Review Requirements - Compliance.

Except where otherwise specifically provided in a condition of approval of a tract map, parcel map, conditional use permit or variance, all requirements imposed by Architectural Review shall be completed prior to occupancy of new buildings or additions, installation of signs or operation of a new land use. Failure to comply with the requirements of Architectural Review constitutes a violation of this code, which may be punishable as prescribed in section 21.04.070."

SECTION XVII: Section 21.20.274 is hereby established as follows:

"21.20.274 Architectural Review - Decisions and Appeals.

Architectural Review shall be conducted by the Architectural Review Committee. Appeals of decisions of the Architectural Review Committee shall be made in the manner prescribed by section 21.23A.070."

SECTION XVIII: Section 21.20.280 is amended to read as follows:

"21.20.280 Architectural Review Committee - Appointment.

The Planning Commission may appoint an Architectural Review Committee of three of its members."

PASSED AND ADOPTED THIS 15th day of March, 1988 by the following roll call vote:

AYES: Cousins, Ovitt, Dolan, Martin and Russell
NOES: None
ABSENT: None

Nick Russell
MAYOR NICK RUSSELL

ATTEST:

Jerry Bankston
JERRY BANKSTON, CITY CLERK